

6-228. APPROVER

APPROVER MAY NOT BE ADMITTED IN A CASE.

REVISOR'S NOTE: This section is new language derived without substantive change from the fourth clause of former Art. 27, § 635.

As to the first, second, and third clauses of former Art. 27, § 635, they are transferred to ET § 11-109. See Ch. 10, Acts of 2001, § 3 which also enacted this revision.

The fifth clause of former Art. 27, § 635, is deleted as obsolete.

TITLE 7. UNIFORM POSTCONVICTION PROCEDURE ACT.

SUBTITLE 1. IN GENERAL.

7-101. SCOPE OF TITLE.

THIS TITLE APPLIES TO A PERSON CONVICTED IN ANY COURT IN THE STATE WHO IS:

- (1) CONFINED UNDER SENTENCE OF DEATH OR IMPRISONMENT; OR
- (2) ON PAROLE OR PROBATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 645A(a)(1), as it related to convicted persons who are confined, on parole, or on probation.

The former reference to a "person confined or on parole or probation as a result of a proceeding before the District Court" is deleted as included in items (1) and (2) of this section.

Defined term: "Person" § 1-101

7-102. RIGHT TO BEGIN PROCEEDING.

(A) IN GENERAL.

SUBJECT TO SUBSECTION (B) OF THIS SECTION, §§ 7-103 AND 7-104 OF THIS SUBTITLE AND SUBTITLE 2 OF THIS TITLE, A CONVICTED PERSON MAY BEGIN A PROCEEDING UNDER THIS TITLE IN THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE CONVICTION TOOK PLACE AT ANY TIME IF THE PERSON CLAIMS THAT:

- (1) THE SENTENCE OR JUDGMENT WAS IMPOSED IN VIOLATION OF THE CONSTITUTION OF THE UNITED STATES OR THE CONSTITUTION OR LAWS OF THE STATE;
- (2) THE COURT LACKED JURISDICTION TO IMPOSE THE SENTENCE;
- (3) THE SENTENCE EXCEEDS THE MAXIMUM ALLOWED BY LAW; OR